

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHRISTINA M. WILLIAMSON and  
GALIN R. BROWN,

Plaintiffs,

vs.

UNIFUND CCR PARTNERS,  
DEAN J. JUNGERS,  
ZB LIMITED PARTNERS,  
CREDIT CARD RECEIVABLES FUND,  
INC., and JOHN DOES 1-10,

Defendants.

8:08CV218

ORDER

This matter is before the court on the plaintiffs' Application for Attorney fees ([Filing No. 73](#)) and the defendant Dean J. Jungers' response ([Filing No. 75](#)). The plaintiffs filed an index of evidence ([Filing No. 74](#)) in support of their application.

On December 11, 2008, the court directed Mr. Jungers to show cause why sanctions should not be imposed for the failure to provide discovery as required under the federal rules. **See** [Filing No. 55](#). The record reflects Mr. Jungers' did file a certificate of service for the initial mandatory disclosures after the court's initial order. **See** [Filing No. 57](#). Upon Mr. Jungers' failure to respond to the show cause order, the court granted the plaintiffs reasonable expenses for filing the November 14, 2008, motion to compel. **See** [Filing No. 67](#). The court allowed the parties time to reach an accord about the amount of sanctions. *Id.* However, on February 20, 2009, the plaintiffs stated no agreement could be reached. **See** [Filing No. 73](#). The plaintiff sought \$243.00 and has given a breakdown of the fees associated with filing the motion to compel. *Id.* On February 23, 2009, Mr. Jungers filed a consent to the amount of \$234.00 sanctions. **See** [Filing No. 75](#). The ten dollar difference is based on a typographical error in an earlier exchange between the parties. **See** [Filing No. 73](#). The court finds the time spent and rate charged by the plaintiffs is reasonable in this instance. Accordingly, the court will award the plaintiffs sanctions in the amount of \$243.00. Upon consideration,

**IT IS ORDERED:**

1. The plaintiffs' Application for Attorney fees ([Filing No. 73](#)) is granted.
2. The plaintiffs are awarded reasonable costs and attorney's fees in the **amount of \$243.00** for bringing the November 14, 2008 motion to compel ([Filing No. 36](#)).
3. The Clerk of Court shall, at the time of entry of judgment in this case, make this award a part of the judgment entered, unless before that time the parties certify that the award has been satisfied.

DATED this 26th day of February, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge